

FOREIGN CLAIMS SETTLEMENT COMMISSION
OF THE UNITED STATES
WASHINGTON, D.C. 20579

IN THE MATTER OF THE CLAIM OF

S.C. JOHNSON & SON, INC.

Under the International Claims Settlement
Act of 1949, as amended

Claim No. CU -2623

Decision No. CU

3667

Counsel for claimant:

Covington and Burling
By John G. Laylin, Esq.

PROPOSED DECISION

This claim against the Government of Cuba, under Title V of the International Claims Settlement Act of 1949, as amended, for \$475,000.00 is asserted by S.C. JOHNSON & SON, INC. based upon the nationalization of the Cuban enterprise, the Oriente Products Company, in which it claimed a fifty per cent interest,

In our decision entitled the Claim of North American Sugar Industries Inc. et al. (Claim No. CU-2622), which claim is incorporated herein by reference, we held that the Oriente Products Company was intervened by the Government of Cuba on July 20, 1960, and that this type of claim is compensable to an American national under the facts and conditions set forth therein. We need not again detail here the reasons or the method used in determining the value of a fifty per cent ownership interest in Oriente Products Inc. as being \$472,522.49 on July 20, 1960.

An officer of the claimant has certified that at all times since its organization in the State of Wisconsin on January 22, 1932 more than 50% of its outstanding capital stock has been by United States nationals and, in 1962, 99.6354% of its outstanding capital stock was owned by United States nationals.

On the basis of evidence in the record in the instant claim, the Commission finds that this claim comes within the terms of the North American Sugar Industries Inc. decision; that claimant was a national

of the United States at the requisite times; that it has been the owner of a fifty per cent interest in Oriente Products since prior to July 20, 1960; and that it suffered a loss in the amount of \$472,522.49 within the meaning of Title V of the Act. Further, the Commission finds that the amount of loss sustained shall be increased by interest thereon at the rate of 6% per annum from July 20, 1960, the date of loss, to the date on which provisions are made for the settlement thereof. (See North American Sugar Industries, Inc., et al., supra.)

CERTIFICATION OF LOSS

The Commission certifies that S.C. JOHNSON & SON, INC. suffered a loss, as a result of actions of the Government of Cuba, within the scope of Title V of the International Claims Settlement Act of 1949, as amended, in the amount of Four Hundred Seventy-Two Thousand Five Hundred Twenty-Two Dollars and Forty-Nine Cents (\$472,522.49) with interest thereon at 6% per annum from July 20, 1960 to the date of settlement.

Dated at Washington, D. C.,
and entered as the Proposed
Decision of the Commission

28 MAY 1969

Leonard v. B. Sutton
Leonard v. B. Sutton, Chairman

Theodore Jaffe

Theodore Jaffe, Commissioner

Sidney Freidberg
Sidney Freidberg, Commissioner

The statute does not provide for the payment of claims against the Government of Cuba. Provision is only made for the determination by the Commission of the validity and amounts of such claims. Section 501 of the statute specifically precludes any authorization for appropriations for payment of these claims. The Commission is required to certify its findings to the Secretary of State for possible use in future negotiations with the Government of Cuba.

NOTICE: Pursuant to the Regulations of the Commission, if no objections are filed within 15 days after service or receipt of notice of this Proposed Decision, the decision will be entered as the Final Decision of the Commission upon the expiration of 30 days after such service or receipt of notice, unless the Commission otherwise orders. (FCSC Reg., 45 C.F.R. 531.5(e) and (g), as amended, 32 Fed. Reg. 412-13 (1967).)